

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

**BLAINE WILMOTTE and MADISON
WILMOTTE,**

Plaintiffs

-vs-

**NATIONAL RAILROAD PASSENGER
CORPORATION d/b/a AMTRAK,**

Defendant

Civil Action No. 2:18-cv-00086-BHS

Bond No. K1548987A


KNOW ALL MEN BY THESE PRESENTS that National Railroad Passenger Corporation as Principal, and Westchester Fire Insurance Company as Surety are held and firmly bound unto United States District Court for the Western District of Washington in the principal sum of Eleven Million Two Hundred Fifty Thousand Dollars (\$11,250,000.00) for the payment of which we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, on the 13th day of September, 2019, in the above named Court, the above named Blaine Wilmotte and Madison Wilmotte, the plaintiffs herein, recovered a Judgment against the above named National Railroad Passenger Corporation, the defendant herein, for the sum of Nine Million Dollars (\$9,000,000.00).

NOW THEREFORE, if the Principal shall satisfy any money judgment obtained in the Judgment in full, including any costs and damages which may be awarded against defendant then this obligation shall be null and void; otherwise to remain in full force and effect. It is provided that the Surety shall not be liable in the aggregate for more than the penal sum of Eleven Million Two Hundred Fifty Thousand Dollars (\$11,250,000.00).

Signed, sealed and dated this 25th day of November, 2019.

Principal: National Railroad Passenger Corporation

By: 
STEPHEN GARDNER
SEN. EXEC. VICE PRESIDENT +
CHIEF OPERATING COMMERCIAL
OFFICER

Surety: Westchester Fire Insurance Company

By: 
Adanna Brathwaite, Attorney-In Fact

**Power of
Attorney****WESTCHESTER FIRE INSURANCE COMPANY**

Know all men by these presents: That **WESTCHESTER FIRE INSURANCE COMPANY**, a corporation of the Commonwealth of Pennsylvania pursuant to the following Resolution, adopted by the Board of Directors of the said Company on December 11, 2006, to wit:

"RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into the ordinary course of business (each a "Written Commitment"):

- (1) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise.
- (2) Each duly appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such persons written appointment as such attorney-in-fact.
- (3) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person the attorney-in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company or otherwise, such Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (4) Each of the Chairman, the President and Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing any other officer of the Company the authority to execute, for and on behalf of the Company, under the Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (5) The signature of any officer or other person executing any Written Commitment or appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation.

FURTHER RESOLVED, that the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested.

Does hereby nominate, constitute and appoint Adanna Brathwaite, Erin M Margelis, Tara Vaughns all of the City of WASHINGTON, District Of Columbia, each individually if there be more than one named, its true and lawful attorney-in-fact, to make, execute, seal and deliver on its behalf, and as its act and deed any and all bonds, undertakings, recognizances, contracts and other writings in the nature thereof in penalties not exceeding TWENTY TWO MILLION DOLLARS & ZERO CENTS (\$22,000,000.00) and the execution of such writings in pursuance of these presents shall be as binding upon said Company, as fully and amply as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office,

IN WITNESS WHEREOF, the said Stephen M. Haney, Vice-President, has hereunto subscribed his name and affixed the Corporate seal of the said **WESTCHESTER FIRE INSURANCE COMPANY** this 13 day of July 2018



WESTCHESTER FIRE INSURANCE COMPANY

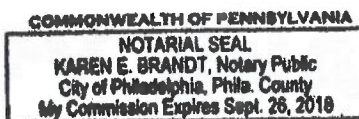
Stephen M. Haney

Stephen M. Haney, Vice President

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF PHILADELPHIA ss.

On this 13 day of July, 2018 before me, a Notary Public of the Commonwealth of Pennsylvania in and for the County of Philadelphia came Stephen M. Haney, Vice-President of the **WESTCHESTER FIRE INSURANCE COMPANY** to me personally known to be the individual and officer who executed the preceding instrument, and he acknowledged that he executed the same, and that the seal affixed to the preceding instrument is the corporate seal of said Company; that the said corporate seal and his signature were duly affixed by the authority and direction of the said corporation, and that Resolution, adopted by the Board of Directors of said Company, referred to in the preceding instrument, is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Philadelphia the day and year first above written.



Karen E. Brandt
Notary Public

I, the undersigned Assistant Secretary of the **WESTCHESTER FIRE INSURANCE COMPANY**, do hereby certify that the original POWER OF ATTORNEY, of which the foregoing is a substantially true and correct copy, is in full force and effect.

In witness whereof, I have hereunto subscribed my name as Assistant Secretary, and affixed the corporate seal of the Corporation, this 25 day of NOVEMBER 20 19.



Dawn M. Chloros
Dawn M. Chloros, Assistant Secretary